

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

*** CRIMINAL NO: 09-021**

v.

*** SECTION: "C"**

STEVEN LEMON

*** VIOLATION: 18 U.S.C. § 2250(a)**

*** * ***

FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **STEVEN LEMON**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would present evidence that on or about July 31, 2000, **STEVEN LEMON (LEMON)**, entered a plea of guilty to two counts of lewd and lascivious acts with a child under the age of 14 in the Superior Court of California, County of San Diego. On or about the date **LEMON** was convicted, he was advised that he would have to register as a sex offender for the rest of his life. **LEMON** was required to complete a Sex Offender Registration/Change of Address/Annual or Other Update Form (Registration Form) every year within 5 days of his birthday and/or any time he changed his address. Each time **LEMON** completed a Registration Form he provided his thumb

print and signed that he understood that the responsibility to register as a sex offender is a lifetime requirement; that if he were to change his registered address to a new address, either within the same jurisdiction, or anywhere inside or outside of the state, he must inform the last registering agency or agencies in person within five (5) working days before he were to move; and that if he were to move outside of California, he is required to register in the new state within ten (10) working days.

The government would introduce evidence to establish that from on or about September 28, 2000, through on or about May 3, 2007, **LEMON** completed approximately 17 Registration Forms.

Detectives with the San Diego Police Department's Sex Offender Registration Unit would testify that on or about May 3, 2007, Lemon listed an incorrect address on his Registration Form. Law enforcement officers would testify that at sometime unknown but after on or about May 3, 2007, **LEMON** moved from California to Louisiana and failed to notify law enforcement authorities of his move to Louisiana.

Further, the government would present evidence that on or about January 14, 2009, Inspectors from the U. S. Marshal's Service executed a federal search warrant, based on probable cause, at Lemon's Carondelet Street apartment in New Orleans. Inspectors would introduce evidence recovered from Lemon's apartment to establish Lemon's residency in Louisiana.

Further, the government would introduce post-*Miranda* statements made by **LEMON** wherein **LEMON** voluntarily admitted that he came to Louisiana to work and start a new life. **LEMON** said that he wouldn't have gotten anywhere if he had registered. **LEMON** said he had felt like he received a "life sentence."

Further, the government would call a fingerprint examiner from the FBI to testify that he examined and compared fingerprints from **LEMON**'s original conviction, his registration forms, and his January 2009 federal arrest and concluded that they all were from the same individual, **STEVEN LEMON**.

STEVEN LEMON
Defendant

DATE

GARY SCHWABE
Counsel for Defendant

DATE

BRIAN M. KLEBBA
Assistant United States Attorney

DATE